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In re Application of	:	
HOLLINS et al.	:	
Application No.: 10/593,899	:	DECISION
PCT No.: PCT/US2005/009359	:	
Int. Filing Date: 22 March 2005	:	
Priority Date: 22 March 2004	:	
Attorney's Docket No.: 11878-00005-US2	:	
For: METHODS FOR EXTRACTING TITANIUM	:	
METAL AND USEFUL ALLOYS FROM TITANIUM	:	
OXIDES	:	

This decision is in response to applicant's petition under 37 CFR 1.137(b) filed 24 July 2007 in the United States Patent and Trademark Office (USPTO).

#### **BACKGROUND**

On 22 March 2005, applicants filed international application PCT/US2005/009359, which designated the U.S. and claimed a priority date of 22 March 2004. A copy of the international application was communicated to the USPTO from the International Bureau on 02 March 2006. The thirty-month period for paying the basic national fee in the United States expired at midnight on 22 September 2006.

On 22 September 2006, applicants filed a submission for entry into the national stage in the United States. The submission did not include the U.S. Basic National Fee.

On 30 May 2007, the USPTO mailed a NOTIFICATION OF ABANDONMENT (Form PCT/DO/EO/909) indicating that the application was abandoned as to the United States for failure to provide the U.S. Basic National Fee by thirty months from the priority date.

On 24 July 2007, applicants filed the instant petition under 37 CFR 1.137(b).

#### **DISCUSSION**

A petition to revive the present application under 37 CFR 1.137(b) must include:  
(1) The required reply;

- (2) The petition fee;
- (3) A statement that the entire delay in filing the required reply from the due date for the reply until the filing of a grantable petition was unintentional.

Item (1) has been satisfied. The U.S. Basic National Fee was submitted on 24 July 2007.

As to item (2), applicant submitted the petition fee on 24 July 2007.

As to item (3), the required statement has been provided.

A review of the application file reveals that, with the filing of the present petition and accompanying papers, a proper response has been submitted and all of the requirements of 37 CFR 1.137(b) for revival have been satisfied and revival is therefore appropriate.

#### Declaration of Inventors

The declaration of the inventors filed 22 March 2005 in the international application is in compliance with 37 CFR 1.497(a)-(b). The surcharge under 37 CFR 1.492(h) of \$130 for filing any of the search fee, the examination fee, or the oath or declaration after the date of the commencement of the national stage has been charged to Deposit Account 22-0185.

#### CONCLUSION

The petition under 37 CFR 1.137(b) is **GRANTED** for the reasons set forth above.

Any further correspondence with respect to this matter may be filed electronically via EFS-Web or if mailed should be addressed to Mail Stop PCT, Commissioner for Patents, Office of PCT Legal Administration, P.O. Box 1450, Alexandria, Virginia 22313-1450, with the contents of the letter marked to the attention of the Office of PCT Legal Administration.

This application is being forwarded to the National Stage Processing Branch of the Office of PCT Operations to continue national stage processing of the application.

/Daniel Stemmer/

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